

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1792**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kazuhiro HATTORI et al.

Group Art Unit: 1792

Application No.: 10/535,265

Examiner: A. OLSEN

Filed: May 17, 2005

Docket No.: 123935

For: MANUFACTURING METHOD AND MANUFACTURING APPARATUS OF
MAGNETIC RECORDING MEDIUM

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 3, 2008 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks. Claims 1-6, 9-14, 16 and 17 are currently pending, claims 16 and 17 being withdrawn.

Applicants thank the Examiner for the indication that claim 10 contains allowable subject matter. However, for at least the reasons discussed below, all of the claims are in condition for allowance.

Claims 1-5 and 11-15 are rejected under 35 U.S.C. §103(a) over Suwa et al. (U.S. Patent Application Publication No. 2004/0191577); and claims 6 and 9 are rejected under 35 U.S.C. §103(a) over Suwa in view of Gupta et al. (U.S. Patent No. 6,884,630). The rejections are respectfully traversed.


Suwa is disqualified as prior art by the attached accurate English-language translation of JP 2003-283567. The instant application is a national stage of PCT/JP04/10710, that claims priority from JP 2003-283567, filed July 31, 2003. Suwa has an effective U.S. filing date of March 22, 2004. The attached accurate English-language translation of JP 2003-283567, which supports the pending claims, perfects priority. Therefore, the instant application predates Suwa and Suwa is disqualified as prior art. Accordingly, Applicants submit that the 35 U.S.C. §103(a) rejection over Suwa in view of Gupta is moot. Applicants thus respectfully request withdrawal of the rejection.

Withdrawn claims 16 and 17 depend from generic claim 1. Thus, upon allowance of claim 1, rejoinder and allowance of claims 16 and 17 is respectfully requested (see MPEP §884.04).

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Patrick T. Muffo
Registration No. 60,342

JAO:PTM/lrh

Date: August 4, 2008

Attached:

Accurate English-language translation of JP 2003-283567

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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